

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

| | | |
|-------------------------------------|---|----------------------------|
| CRAIG CUNNINGHAM | § | |
| v. | § | CIVIL ACTION NO. 6:10cv362 |
| PANOLA COUNTY, TEXAS, <i>et al.</i> | § | |

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Defendants' Motion for Summary Judgment (document [#22](#)) be granted and that Plaintiff's Motion for Partial Summary Judgment (document [#32](#)) be denied. Plaintiff filed written objections on May 24, 2011.

Having made a *de novo* review of the written objections filed by Plaintiff, the Court finds that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit. The Court, therefore, adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is hereby

ORDERED that the Defendants' Motion for Summary Judgment (document [#22](#)) is **GRANTED** and the claims against John Gradberg and Phillip Grimes are **DISMISSED** with

prejudice. Plaintiff's Motion for Partial Summary Judgment (document [#32](#)) is **DENIED**. The claims against the other defendants were previously dismissed on December 6, 2010.

Any motion not previously ruled on is **DENIED**.

SIGNED this 31st day of May, 2011.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE